

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRI.W.P.NO.2758 OF 2005

Dundappa Balappa Ningnure ..Petitioner

Vs.

The State of Maharashtra
& Ors. ..Respondent

Ms.Sarojini Upadhyā Advocate (appointed) for
Petitioner
Mrs.A.S.Pai A.P.P. for State
.....

CORAM: D.G.DESHPANDE AND
SMT.V.K.TAHILRAMANI, JJ.

DATE : APRIL 10,2006

ORDER ORDER : (PER SMT. V.K.TAHILRAMANI, J):

1. Heard learned advocate for the petitioner and learned A.P.P. for the State. Rule. By consent, rule is heard forthwith.

2. The petitioner had preferred application for furlough. The said application for furlough came to be rejected on the ground that co-accused absconded hence, it is apprehended that if the petitioner is released on furlough, he would also run away. As far as this apprehension is

concerned, there is no material on record in respect of petitioner to reach such a conclusion. Looking to the facts of this case, we are of the opinion that the apprehension that if the petitioner is released on furlough, he would also run away is baseless.

3. The petitioner be released on furlough in accordance with the usual terms and conditions. In addition thereto, the petitioner shall inform the address at which he will reside during the period that he is on furlough. He will report to the nearest police station to that address on every alternate day during the period that he is on furlough.

4. Rule made absolute in the above terms. Petition is disposed of.

[D.G.DESHPANDE, J.]

[SMT.V.K.TAHILRAMANI, J.]